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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

JUL - 5 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Amendment of Parts 2 and 15 of the )  
Commission's Rules to Deregulate )  
the Equipment Authorization )  
Requirements for Digital Devices )

95-19  
ET Docket No. ~~95-16~~

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To: The Commission

REPLY COMMENTS OF GATEWAY 2000, INC.

Gateway 2000, Inc. ("Gateway") by its undersigned counsel, hereby submits its Reply Comments in response to the Commission's Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding, released February 7, 1995, 60 Fed. Reg. 15116, published March 22, 1995.

**I. Background.**

In its Comments filed in response to the NPRM on June 5, 1995, Gateway agreed that the equipment authorization requirements for personal computers ("Pcs") and personal computer peripherals should be changed. Gateway expressed its concern that the existing certification process was overly burdensome on manufacturers because it consumes a significant amount of time and delays the marketing and sale of new products. The proposed new authorization process would allow manufacturers to deduct between 28 and 35 days from the certification process. Gateway noted that the Declaration of Conformity ("DOC") procedure was an adequate vehicle for this change.

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In terms of compliance labelling, Gateway supported the Commission's proposal to require a small logo to indicate compliance. The cost of such labelling would be offset by the reassurance that it will bring to consumers that the products they purchase are in compliance with FCC standards.

Gateway agreed that the laboratories which would test for compliance should be accredited. However, Gateway did not support the proposal to select the National Voluntary Laboratory Accreditation Program ("NVLAP") as the only vehicle for accreditation. Instead, Gateway suggested that the Commission consider policies that are already utilized in other parts of the world. This would further the international harmonization of standards.

Gateway also disagreed with the Commission's proposal to authorize PCs based upon the testing of individual components. Testing a completed system is the only way to ascertain whether a particular product configuration is in compliance with the Commission's standards.

Gateway wishes to emphasize in its Reply Comments two points that were made in its June 5 Comments. First, Gateway reiterates its opposition to NVLAP certification of test labs; and second, Gateway recommends that the issue regarding modular components be studied further.

## **II. NVLAP Certification of Test Labs.**

After reviewing the comments made by other participants in this proceeding and researching the topic further, Gateway hereby

underscores its strong opposition to exclusive NVLAP certification of EMI test labs. It has been brought to Gateway's attention that currently there are only five (5) NVLAP inspectors. This shortage of personnel would be a serious deficiency if the FCC were to require that all the labs currently listed with the Commission be certified within a two (2) year period of time. Furthermore, the cost involved with the NVLAP certification of test sites would be prohibitive for most of the labs that are listed with the FCC because of their status as small business entities. In the comments that were submitted to the FCC on the proposed rule changes, the only labs that were in favor of exclusive NVLAP certification were the ones that were already certified by NVLAP.

Additionally, Gateway feels that the FCC could take a step toward harmonizing its requirements with those that have been adopted by the European Community. ISO 45000, ISO Guide 25, and ISO 58 are the standards that most other countries are recognizing and which already seem to have some support in the United States. If the FCC does require accreditation of test labs, Gateway believes that, in order to maintain a "level playing field", accreditation should be applied to all test labs in the industry, independent, manufacturer, foreign or domestic.

### **III. Modular Components.**

The second point Gateway wishes to emphasize here pertains to the Commission's proposal to approve modular components. This topic needs to be further researched and better defined before this type of plan can be implemented. Based on the views of the

majority of parties addressing this issue, Gateway believes it is premature to adopt any new rules or procedures regarding modular components. The FCC should suggest that either the IEEE or ITI form a committee to research this topic and submit the research results to the Commission when more is known. At this time, Gateway is opposed to any implementation of a program for approval of modular components for Class B personal computers.

#### **IV. Conclusion.**

In conclusion, Gateway recommends that the Commission adopt rules and procedures for certification of personal computers that are consistent with the positions set forth by Gateway in its Comments and Reply Comments in this proceeding.

Respectfully submitted,

Gateway 2000, INC.

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Dated: July 5, 1995

**CERTIFICATE OF SERVICE**

I, Thomas J. Keller, hereby certify that I have this 5th day of July, 1995, caused to be delivered by U.S. Mail copies of the foregoing "Reply Comments of Gateway 2000, Inc." to the following persons:

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